

From: Barbara O'Connor
To: Microsoft ATR
Date: 1/25/02 11:48am
Subject: Microsoft Settlement

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Antitrust Division
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Ms Hesse:

I am writing to express my concern over the current proposed settlement with Microsoft. I am prompted by my interest in technology policy in general and, more specifically, as an educator concerned with the impact of technology in the lives of our students.

I have been a professor of communications for over 25 years with much of that time spent focusing on the role of media and technology in society and its impact on citizens, institutions, and the democratic process. I also served for eight years, by appointment of the Governor, the California Legislature, and the Superintendent of Public Instruction, as chair of the California Educational Technology Committee. The committee has an annual budget of over \$16 million and is charged with infusing technology in California's K-12 schools. I also served as the founding chair of the Alliance for Public Technology, a national non-profit organization devoted to fostering full and equitable access to advanced information technologies and services.

My experience leads me to believe that without significant changes, the Microsoft settlement simply will not be in the public interest. The recommendations of the nine dissenting Attorneys General, however, if implemented, could bring us much closer to true competition. They would require Microsoft to:

- ? Produce a basic version of Windows that gives computer makers and consumers the ability to pick and choose components;
- ? Share its code for Internet Explorer with competing developers;
- ? Auction the right to create versions of the Microsoft Office suite of software for other operating systems; and
- ? Include Sun Microsystems' version of Java in Windows XP -- allowing competing software developers to provide expanded interoperability of products and consumer options.

Furthermore, I agree with the Attorneys General that the proposed enforcement mechanism lacks any real "teeth," and support the appointment of a "master" to enforce the judgment, as well as a meaningful penalty

system. Right now, the only penalty would be to extend the monitoring period. Instead, I support the recommendation of the Attorneys General. If Microsoft is found to be acting in an anti-competitive manner, it should be forced to make the source code for Windows available to competitors.

I urge you to consider my views and make the amendments suggested above. Only then can you preserve the greatest possible innovation and choice in the technology marketplace for all Americans.

Dr. Barbara O'Connor
Professor of Communications